

REMARKS

Claim 4 is amended; as a result, claims 1-24 are now pending in this application.

Information Disclosure Statement

Applicant submitted a Supplemental Information Disclosure Statement and a 1449 Form on December 16, 2003. Applicant respectfully requests that initialed copies of the 1449 Form be returned to Applicants' Representatives to indicate that the cited references have been considered by the Examiner.

§112 Rejection of the Claims

Claims 4 and 11 were rejected under 35 USC § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 4 was amended to correct a typographical error that occurred between filing the parent case and preparing the preliminary amendment for the instant case. Additionally, the specification was amended to add the specific range claimed in claim 4. Withdrawal of the rejection is respectfully requested.

Regarding claim 11, the specification was amended to add the specific ranges claimed in claim 11. Withdrawal of the rejection is respectfully requested.

§102 Rejection of the Claims

Claims 1-24 were rejected under 35 USC § 102(b) as being anticipated by Srinivas et al. (U.S. 6,524,952 B1) and Givens et al. (U.S. 6,057,231). Applicant respectfully traverses this rejection and requests the Office to consider the following.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), M.P.E.P. §2131, 8th Ed., Rev. 1).

Applicant notes that, although the Office Action states claims are rejected under both Srinivas et al. and Givens et al., only Srinivas et al. is construed with respect to claims 1-14, and only Givens et al. is construed with respect to claims 15-25. Applicant will address the cited references, however, as if they were each construed against all claims.

Rejections based upon Srinivas et al.

Claim 1 includes, in part, “forming a refractory metal silicide first film ... forming a refractory metal silicide nitride second film ... and ... forming a refractory metal third film” Applicant can not find all of these features in Srinivas et al. Srinivas et al. at most teaches forming two layers near a tungsten metal layer. Because each and every feature as set forth in claim 1 is not found in Srinivas et al., Srinivas et al. does not anticipate the claims. Withdrawal of the rejections is respectfully requested.

Applicant notes that claims 2-10 are dependent from claim 1, and Srinivas et al. therefore does not anticipate these claims. Withdrawal of the rejections is respectfully requested.

Claim 11 includes, in part, “forming a refractory metal silicide first film ... forming an amorphous refractory metal silicide nitride second film ... and ... forming a refractory metal third film” Applicant can not find all of these features in Srinivas et al. Srinivas et al. at most teaches forming two layers near a tungsten metal layer. Because each and every feature as set forth in claim 11 is not found in Srinivas et al., Srinivas et al. does not anticipate the claims. Withdrawal of the rejections is respectfully requested.

Applicant notes that claims 12-14 are dependent from claim 11, and Srinivas et al. therefore does not anticipate these claims. Withdrawal of the rejections is respectfully requested.

Claim 15 includes, in part, “forming a refractory metal silicide first film ... forming a titanium nitride second film ... and ... forming a refractory metal third film” Applicant can not find all of these features in Srinivas et al. Srinivas et al. at most teaches forming two layers near a tungsten metal layer. Because each and every feature as set forth in claim 11 is not found in Srinivas et al., Srinivas et al. does not anticipate the claims. Withdrawal of the rejections is respectfully requested.

Applicant notes that claims 16-24 are dependent from claim 15, and Srinivas et al. therefore does not anticipate these claims. Withdrawal of the rejections is respectfully requested.

Rejections based upon Givens et al.

Claim 1 includes, in part, requires “forming a refractory metal silicide first film above a conductive plug... forming a refractory metal silicide nitride second film ... and ... forming a refractory metal third film” The Office Action asserts at page 3 that Givens et al. teaches “forming a refractory metal silicide first film 30 above a conductive plug 16” But the refractory metal silicide first film 30 is distinctly below the conductive plug 16. Consequently, Givens et al. does not anticipate claim 1. Because each and every element as set forth in claim 1 is not found in Givens et al., Givens et al. does not anticipate the claims. Withdrawal of the rejections is respectfully requested.

Applicant notes that claims 2-10 are dependent from claim 1, and Givens et al. therefore does not anticipate these claims. Withdrawal of the rejections is respectfully requested.

Claim 11 includes, in part, “forming a refractory metal silicide first film above a conductive plug ... forming an amorphous refractory metal silicide nitride second film ... and ... forming a refractory metal third film” The Office Action asserts at page 3 that Givens et al. teaches “forming a refractory metal silicide first film 30 above a conductive plug 16” But the refractory metal silicide first film 30 is distinctly below the conductive plug 16. Consequently, Givens et al. does not anticipate claim 11. Regarding the limitations of the claims dependent from claim 11, Givens et al. fails to teach or suggest the limitations of those claims. Because each and every element as set forth in claim 11 is not found in Givens et al., Givens et al. does not anticipate the claims. Withdrawal of the rejections is respectfully requested.

Applicant notes that claims 12-14 are dependent from claim 11, and Givens et al. therefore does not anticipate these claims. Withdrawal of the rejections is respectfully requested.

Claim 15 includes, in part, “forming a refractory metal silicide first film above a conductive plug... forming a titanium nitride second film ... and ... forming a refractory metal third film” The Office Action asserts at page 3 that Givens et al. teaches “forming a refractory metal silicide first film 30 above a conductive plug 16” But the refractory metal silicide first film 30 is distinctly below the conductive plug 16. Consequently, Givens et al. does not anticipate claim 15. Because each and every element as set forth in claim 11 is not found in Givens et al., Givens et al. does not anticipate the claims. Withdrawal of the rejections is respectfully requested.

Applicant notes that claims 16-24 are dependent from claim 15, and Givens et al. therefore does not anticipate these claims. Withdrawal of the rejections is respectfully requested.

Allowable Subject Matter

Claim 17 was objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has not amended claim 17 at this time.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

Y. J. HU

By his Representatives,

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Date

19 May '04

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19th day of May, 2004.

Name

Amy Moriarty

Signature

